

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X

PLUMBERS & PIPEFITTERS NATIONAL
PENSION FUND, and JUAN FRANCISCO
NIEVES, as Trustee of the Gonzalez Coronado
Trust, Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

vs.

Case No.: 1:16-cv-3591-GHW

KEVIN DAVIS and AMIR ROSENTHAL,

Defendants.

----- X

**LEAD PLAINTIFF’S NOTICE OF UNOPPOSED MOTION FOR PRELIMINARY
APPROVAL OF SETTLEMENT**

PLEASE TAKE NOTICE that Lead Plaintiff United Association National Pension Fund, f/k/a Plumbers & Pipefitters National Pension Fund (“UANPF” or “Lead Plaintiff”), on behalf of itself and each of the Settlement Class Members, moves this Court before the Honorable Gregory H. Woods for an order pursuant to Rule 23(e) of the Federal Rules of Civil Procedure (i) preliminarily approving the proposed Settlement; (ii) preliminarily certifying the Settlement Class for purposes of the Settlement; (iii) approving the form and manner of notice to Settlement Class Members; and (iv) scheduling a Final Approval Hearing on the Settlement and dismissal of the Action with prejudice upon the terms and conditions set forth in the Stipulation and Agreement of Settlement dated as of December 1, 2021, and on Lead Counsel’s motion for an award of attorneys’ fees and reimbursement of Litigation Expenses.

Dated: December 1, 2021

Respectfully submitted,

/s/ Carol V. Gilden

COHEN MILSTEIN SELLERS & TOLL PLLC

Carol V. Gilden

190 South LaSalle Street

Suite 1705

Chicago, IL 60603

Tel.: (312) 357-0370

Fax: (312) 357-0369

Steven J. Toll (*pro hac vice*)

S. Douglas Bunch (SB-3028)

Joshua C. Handelsman (*pro hac vice*)

1100 New York Avenue, N.W. | Fifth Floor

Washington, D.C. 20005

Tel.: (202) 408-4600

Fax: (202) 408-4699

*Attorneys for Lead Plaintiff United Association
National Pension Fund and Lead Counsel for the
Class*

O'DONOGHUE & O'DONOGHUE LLP

Louis P. Malone III

5301 Wisconsin Ave. N.W.

Suite 800

Washington, DC 20015

Tel.: (202) 362-0041

Fax: (202) 362-2640

*Additional Attorneys for Lead Plaintiff United
Association National Pension Fund and Lead
Counsel for the Class*